

WEST VALLEY CITY, UTAH

ORDINANCE NO. _____

Draft Date: 5/6/2009
Date Adopted: _____
Date Effective: _____

**AN ORDINANCE AMENDING SECTIONS 7-1-103 AND 7-8-103
OF TITLE 7 OF THE WEST VALLEY CITY MUNICIPAL CODE
REGARDING RODENT BREEDING IN A RESIDENTIAL ZONE.**

WHEREAS, the text change applies to an appeal of the Planning Commission decision regarding rodent breeding in a residential zone; and

WHEREAS, the change would amend Sections 7-1-103 and 7-8-103 of Title 7 of the West Valley City Municipal Code relating to major home occupations to allow for rodent breeding in a residential zone; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah, as follows:

Section 1. Repealer. Any provision of the West Valley City Code found to be in conflict with this Ordinance is hereby repealed.

Section 2. Amendment. Sections 7-1-103 and 7-8-103 of Title 7 of the West Valley Municipal Code are hereby amended as follows:

7-1-103. DEFINITIONS.

(79) "Feeder Animal Breeding" means commercially breeding and raising an animal, insect, amphibian, etc. as a food source for another animal, insect, amphibian, etc.

RENUMBER ITEM 80 UP TO ITEM 221

7-8-103. MAJOR HOME OCCUPATION STANDARDS.

Major home occupations are defined as home occupations which meet the standards listed in Section 7-8-102 above, except as specifically modified by the Planning Commission as provided herein. The Planning Commission may allow as a conditional use increases in intensity of a home occupation, as follows:

- (5) Feeder Animal Breeding under the following conditions:
 - (a) The use must be located within a fully enclosed structure and may not be located in a carport, patio, breezeway, or any part of the yard space.
 - (b) The space occupied by this use shall be secured and dedicated only to this use and shall not be shared with any other use or activity unless specifically approved by the Planning Commission and the West Valley City Animal Control Division.
 - (c) If located within an accessory building or garage, the building shall be:

- (i) Legally constructed and conform to all West Valley City Codes, including but not limited to setbacks and building code regulations.
- (d) This use shall not displace the minimum required parking for the residence.
- (e) There shall be no sounds, odors or other signs of animals detected outside of the facility.
- (f) Subject to at least one annual inspection from the West Valley City Animal Control Department.
- (g) Must meet the requirements of all effected agencies including but not limited to the West Valley City Animal Control Department, Salt Lake Valley Health Department and the Humane Society of UT.
- (h) Additional conditions will be applied to this use by the Planning Commission for the specific animal being bred.

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately upon posting in the manner required by law.

PASSED and APPROVED this _____ day of _____, 2009.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER